

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER  
SEPTEMBER 22, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, September 22, 2009, in the Council Chambers of City Hall located at 610 Main Street.

**CALL TO ORDER**

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

**ROLL CALL**

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose 'Butch' Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Fire Chief Kenneth Hochgesang, Personnel/Safety Director Charles Schneider, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All three board members were present; therefore, there was a quorum for the meeting.

**PLEDGE OF ALLEGIANCE**

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

**APPROVAL OF THE MINUTES**

The board members examined the minutes of the regular meeting held on September 8, 2009.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to approve the minutes as published. Motion carried 3-0.

**PERFORMANCE BOND REDUCTION-TIMBER CREEK**

Building Commissioner David Seger along with developers Mike and Pat Hochgesang asked to reduce the subdivision performance bond for Timber Creek to \$97,883.53. There is an inspection report that contains a detailed list of work and repairs remaining along with an estimated cost.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to reduce the performance bond to \$97,883.53 and accept a partial release for Timber Creek subject to the City obtaining a new letter of credit before the old one is released. Motion carried 3-0.

### **NEIGHBORHOOD BLOCK PARTY**

Kelly Wigand, 2010 Cobblestone Road, asked permission to close Cobblestone Road between 20<sup>th</sup> Street and Schuetter Road on Friday, October 2, 2009 from 5:00 p.m. to midnight for a neighborhood block party. The street department will drop off barricades in that area and the neighbors are responsible for setting them up and removing them.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request to close Cobblestone Road for a block party on October 2, 2009 from 5:00 p.m. to midnight. Motion passed 3-0.

### **NEIGHBORHOOD BLOCK PARTY**

Raphael Ackerman asked permission to close White Oak between Kluemper Road and Sunshine Drive for a block party on October 3, 2009, from 4:30 p.m. to 8:30 p.m.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request to utilize White Oak for a block party on October 3, 2009, from 4:30 p.m. to 8:30 p.m. Motion carried 3-0.

### **STREET CLOSINGS – ANNUAL DISTRICT BAND COMPETITION**

Gerald Gagne, Traffic & Safety Auxiliary Chief, said the Indiana High School District Band Competition will be held at Alumni Stadium on Saturday, October 3, 2009. He requested the following streets be closed or restricted for through traffic on October 3, 2009 from 7:00 a.m. to 9:00 p.m. The affected streets, which are the same as the last few years, are as follows:

1. 2<sup>nd</sup> Street from East of Buehler's Buy-Low to Clay Street will be closed.
2. W 5<sup>th</sup> Street from St. John Street to west of Scott Rolen Drive will be closed for westbound traffic. Eastbound traffic for parking will be allowed.
3. The parking lot at 6<sup>th</sup> and St John Street will be available for band parking only.
4. Parking will be allowed on W. 5<sup>th</sup> Street where legally posted and also the lot behind 5<sup>th</sup> Street School will be open for the handicapped.
5. Schroeder Complex and 2<sup>nd</sup> Street will only be used for buses and band equipment vehicles.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request to close the streets around Alumni Stadium for the band contest on October 3, 2009. Motion carried 3-0.

### **BITUMINOUS MATERIAL CONTRACT**

Street Commissioner Raymond Eckerle reported he received a notice from Tri-County Paving regarding a slight increase in their contract price. The increase is about 35 cents per ton for asphalt. No change has been received from supplier J.H. Rudolph.

### **APPRAISALS**

Street Commissioner Raymond Eckerle asked permission to start the process to hire two certified appraisers to appraise approximately 31 acres of land located near the solid fill. The land, which is located next to the street department

property, is owned by Jasper Realty Partnership and is used primarily by E. H. Hamilton. He explained the possible uses for the land.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request to get two certified appraisals. Motion carried 3-0.

### **RURAL KING ASSISTANCE**

Street Commissioner Raymond Eckerle informed the board of the generous offer from Jasper Rural King. The employees host 'Doggie Dip Days' whereby they accept donations and help find homes for unclaimed dogs held at the street department. Rural King offered to give the City discounted dog food and they have given dog collars, leashes, and treats for the animals.

Mayor Schmitt said their helping the community is commendable.

### **LOOSE LEAVES**

Street Commissioner Raymond Eckerle said it is too soon to use the leaf machines. If anyone has loose leaves they need to bag them at this time and the street department will pick them up. He will announce when the leaf pick-up begins.

### **JUNK COMPUTER HARD DRIVE**

Personnel/Safety Director Charles Schneider said his computer hard drive crashed and has been replaced. He asked permission to junk the old computer hard drive, asset #101424.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Mayor Schmitt to allow the Personnel/Safety Director to junk computer hard drive, asset #101424. Motion carried 3-0.

### **BADENDORFF STORM SEWER QUOTES**

City Engineer Chad Hurm said at the last meeting quotes for the Badendorff Storm Sewer project were taken under advisement. He reviewed the quotes and recommended awarding the contract to Messmer Mechanical for \$108,000.00.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to award the Badendorff Storm Sewer Project to Messmer Mechanical for \$108,000.00. Motion carried 3-0.

### **ENCROACHMENT REQUEST**

City Engineer Chad Hurm received an encroachment request from Schroering Realty and Siemers Glass to install three monitoring wells in a sidewalk and in an alley located in the 9<sup>th</sup> and Main Street area. A map indicating the location of the wells was shown. Hurm said the location of the monitoring wells was determined by an engineering firm. Indiana Underground needs to look at the area because there are some utility lines in that area. Representatives from Schroering Realty and Siemers Glass were not present to answer questions. Environmental Management Consultants will be hired to see if contaminants get off the site and if any ground water is contaminated.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request as soon as we determine if an encroachment agreement or an indemnifying agreement is needed between the City and Schroering Realty and Environmental Management for three monitoring wells located near 9<sup>th</sup> Street between Main and Newton Streets. Motion carried 3-0.

### **MILL**

Mayor Schmitt asked when Craftsmen Construction will be finished at the Mill. City Engineer Chad Hurm said they are scheduling a walk through and will do a punch list. Schmitt said as soon as the City takes over the Mill, he would like to form a group to discuss landscaping.

Mayor Schmitt said the security fence around the property is temporary and we need to keep the fence in place until the landscaping is completed. When the contract ends, that ends Craftsman's responsibility for paying for the fence. The City can take over the payments for the fence at a cost of \$299.01 per month.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to continue on a month to month contract with Craftsman Construction for \$299.01 per month to keep the security fence at the Mill in place. Motion carried 3-0.

### **PARTIAL RELEASE PERFORMANCE BOND – WINDSONG ESTATES**

City Attorney Sandra Hemmerlein said in June, 2009, Robert & Mary Jane Durcholz, the developers for Windsong Estates, submitted a new letter of credit for \$211,717.70 to replace the expired letters of credit for \$236,103.00 and 82,520.00. The Board needs to approve the reduced amount for the bond. There is an inspection report that contains a detailed list of work and repairs remaining along with an estimated cost.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to do a partial performance bond release for Windsong Estates and reduce the letter of credit to \$211,717.70 to cover the remaining work that needs to be done. Motion carried 3-0.

### **HIGH WEED COMPLAINTS**

Fire Chief Kenneth Hochgesang reported to the board the names of property owners and the location that has been cited under 5.12.040 weed removal/notice. The names and locations are as follows:

<b>Owner</b>	<b>Location</b>
Bank of New York	1457 W 5 <sup>th</sup> , Petry's 1 <sup>st</sup> Add Lot 29
Morris & Carolyn Meals	1410 Maple Leaf Dr, Mission Valley Manor Lot 28
Habitat for Humanity Dubois Co.	R.J. Hochgesang Add Pt Lot 21

### **POLICE REPORTS**

Police Chief Douglas Tarvin presented to the Board for its review the following reports for the Jasper Police Department.

Vehicle Fuel & Maintenance Report for August, 2009

Monthly Activity Report for August, 2009

### **OLD RADIO EQUIPMENT**

Police Chief Douglas Tarvin stated that at the last meeting he asked for approval to dispose of some obsolete equipment that was stored at the police base station at 17<sup>th</sup> St and US 231. The Board moved “to get rid of the outdated radio equipment in the proper fashion and provide an inventory list.”

Tarvin provided lists of items from the base station that were disposed of. One list showed the items that were taken to the salvage yard and sold for scrap for \$30.60, one list showed the items taken to the street department for disposal, another list showed the items stored for auction, another list showed the items that were trashed and the last list showed the items given to the wastewater department.

### **LIMITED PRELIMINARY RAILWAY SERVICES AGREEMENT**

Mayor Schmitt said the last time the train ran to French Lick, they had a terrific time and it is scheduled to run on October 5<sup>th</sup> therefore, the Board needs to approve the agreement with Indiana Railway Museum [IRM] for that run.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the Limited Preliminary Railway Service Agreement between the City of Jasper and the IRM for the excursion on October 5, 2009 and any other dates in the future until we have a permanent contract with IRM. Motion carried 3-0.

### **CITIZEN CONCERN**

Mayor Schmitt said he heard from a citizen that said when the street department was working at Schuetter Road, the police received a signal 10 and as the State Police cars responded, the citizen thought the police did not give consideration to the construction site or to the workers. Mayor Schmitt said at the next department head meeting, we will discuss people working on the road ways.

**ADJOURNMENT.** There being no further business to come before the board, a motion was made by Thomas Schmidt and seconded by Ambrose ‘Butch’ Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:15 a.m.

The minutes were hereby approved \_\_\_\_ with   X   without corrections or clarification this 13<sup>th</sup> day of October, 2009.

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**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**

Margaret A. Kress, Recording Secretary